UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS

AFRICAN COMMUNITIES TOGETHER, et al.,)	
Plaintiffs,)	
)	
v.)	Civil Action No. 19-10432 (TSH)
)	,
DONALD J. TRUMP, President of the United)	
States, et al.,)	
)	
Defendants.)	
·)	

UNOPPOSED MOTION FOR LEAVE TO FILE 27-PAGE REPLY MEMORANDUM IN SUPPORT OF MOTION TO DISMISS THE AMENDED COMPLAINT

Defendants Donald J. Trump, President of the United States; United States Department of Homeland Security; and Kevin McAleenan, Acting Secretary of Homeland Security, respectfully move, pursuant to Local Rule 7.1(b)(3), for leave to file a 27-page combined reply memorandum in further support of their Motion to Dismiss the Amended Complaint and response to the brief of *amici curiae*. The undersigned counsel conferred with Plaintiffs' counsel about the relief sought herein who stated that Plaintiffs will not oppose this motion.

Plaintiffs' Amended Complaint contains 164 paragraphs of allegations. It asserts four counts against the President of the United States, the Acting Secretary of Homeland Security, and the Department of Homeland Security. Defendants have moved to dismiss the Amended Complaint pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure. Defendants' motion argued, *inter alia*, that Plaintiffs lack standing to bring their claims, that their claims are unripe, that they cannot assert claims against the President, and that they have failed to allege adequately violations of the constitution or other laws.

Plaintiffs' 30-page opposition to the motion to dismiss raises numerous legal arguments and attaches multiple declarations. And the 16-page brief of *amici curiae* raises additional

arguments. Defendants' proposed reply seeks to respond to these arguments as succinctly as

possible. Defendants submit that the proposed reply will assist the Court in resolving a potentially

dispositive motion in this important case. Defendants also respectfully request that they be allowed

to use up to 27 pages for the reply. Given the length of Plaintiffs' opposition and the *amici curiae*

brief, Defendants anticipate that up to 27 pages will be necessary to adequately respond to both

briefs.

Defendants further propose that the reply be due on August 23, which is 21 days after

Plaintiffs' opposition was filed. Defendants require 21 days to prepare the reply due to the number

of issues raised in the briefing and because of the undersigned counsel's numerous litigation

commitments in other federal court matters this month.

For the foregoing reasons, Defendants respectfully request the Court to allow Defendants

leave to file a reply memorandum of up to 27 pages by August 23, 2019.

Respectfully submitted,

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/s/ Joshua Kolsky

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LOCAL RULE 7.1 CERTIFICATION

Pursuant to Local Rule 7.1(a)(2), counsel for Defendants conferred with counsel for Plaintiffs about this Motion. Plaintiffs' counsel stated that they will not oppose this Motion.

/s/ Joshua Kolsky Joshua Kolsky

Certificate of Service

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) on August 9, 2019.

/s/ Joshua Kolsky Joshua Kolsky